

REMARKS

The Office action dated November 16, 2005 is acknowledged. Claims 1-18 are pending in the instant application. By the present Office action, claims 8-18 are allowed, claims 1, 4, 5 and 7 are rejected and claims 2, 3 and 6 are objected to. The applicant wishes to thank the Examiner for the allowance of claims 8-18 and for the finding that claims 2, 3 and 6 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. By the present response, claim 1 has been amended and claims 19, 20 and 21 have been added. As will be explained below, claim 1 has been amended to be differentiated from the cited prior art references, in particular Harff, et al. New claim 19 depends from claim 1 and includes a further limitation of the support system. New claim 20 includes subject matter from claims 1 and 2 and new claim 21 includes additional subject matter of claim 2 not recited in new claim 20. In addition, the specification has been amended as set forth above to ensure that sufficient antecedent support for the amendments to claim 1 is set forth in the specification. Reconsideration is respectfully requested in light of the following remarks.

No new matter has been added.

Rejection of Claims 1 and 7 under 35 U.S.C. 102(b)

Claims 1 and 7 have been rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 3,452,736 (Harff, et al.). The Examiner states that Harff, et al. shows all of the limitations recited in claims 1 and 7, specifically, a support system for a portable grill including a grill bottom, a first rack, the grill bottom having a set of coplanar openings, a set of legs with support members for extending through the openings in the

bottom for supporting the rack by gravity without any additional fasteners, and wherein the legs are fastenable to each other separate from the grill bottom.

The applicant respectfully submits that each and every feature of the present invention as set forth in claims 1 and 7, as amended herein, is not taught or described in Harff, et al. As amended, independent claim 1 recites that the grill bottom has an inside wall and an outside wall (support for which is shown in FIG. 4) and that the support members contact the inside wall while the set of legs contact the outside wall. These latter two features are also supported by FIG. 4. In addition, the applicant has amended the specification (paragraph [0030]) to clearly recite and to provide proper antecedent support for the feature of the present invention that the support members contact the inside wall of the grill bottom and that the set of legs contact the outside wall of the grill bottom.

As seen in Fig. 4 and explained in paragraph [0030], the support member (or upper tab 36) is bent from leg piece 32 so that the upper tab 36 extends to form a first horizontal portion 40, followed by a vertical portion 42, from which extends a second horizontal portion 44 from the leg piece, the second horizontal extension of portion 44 extending toward the center of the grill bottom bowl 4. As seen in FIG. 4, the vertical portion 42 of upper tab 36 (i.e., support member) contacts the inside wall of the grill bottom bowl as the vertical portion 42 extends upwardly from the first horizontal portion 40. This configuration of upper tab (or support members) helps secure and stabilize the set of legs in place relative to the grill bottom bowl. It is this simultaneous contact of the support legs to the outside wall and the inner tab (support members) to the inside wall

which fix the support system in position.

The applicant submits that Harff, et al. (or any of the other prior art references made of record by the Examiner) fails to teach a support member which both extends through an opening in the wall of the grill bottom bowl and also is in contact with the inside wall of the grill bottom bowl. Specifically, the device of Harff, et al., as shown in FIG. 1, includes a loop 30 which penetrates an opening 31 in barbecue bowl 32 which resiliently engage the opening 31 to fix the holding member 20 into position (col. 2, lines 13-39). As is clearly evident in FIG. 1 of Harff, et al., the loop 30 penetrates through the opening 31 and is in the same plane as the opening. In other words, the loop 30 contacts only the opening 31 itself and does not contact the inner wall of the barbecue bowl 32.

Regarding claim 19, the claim adds the limitation that the support legs do not extend above the level of the annular rim which defines the opened top of the grill bottom bowl. Support for this can be found in the drawings, such as in FIG. 1 and FIG. 4. Moreover, the specification has been amended as set forth above at paragraph [0030] to provide sufficient antecedent for this limitation in the specification. This feature reduces the bulk of the unit and makes it easier to remove the lid from the bowl because it can be moved horizontally without having to clear the upper part of the legs. The applicant submits that this feature is not taught or disclosed in the cited prior art references, in particular in Harff, et al. In Fig. 1 of Harff, et al. (and in Fig. 1 of Glaser, et al.), the support legs are clearly shown extending above the level of the rim of the barbecue bowl.

With regards to new claims 20 and 21, new claim 20 comprises independent claim 1 rewritten to include the subject matter of dependent claim 2, which the Examiner has

concluded includes allowable subject matter. Claim 21 includes additional subject matter of claim 2, which is not incorporated into claim 20. Therefore, the applicant respectfully submits that claim 20, along with claim 21 which depends therefrom, are allowable and are not anticipated by Harff, et al.

Because each and every feature of the present invention as recited in independent claim 1 is not taught or disclosed in the Harff, et al. prior art reference, the applicant respectfully submits that Harff, et al. does not anticipate the present invention as recited in rejected claims 1 and 7 (which directly depends from claim 1). It is therefore respectfully requested that this rejection be withdrawn.

Rejection of Claims 4 and 5 under 35 U.S.C. 103(a)

Claims 4 and 5 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Harff, et al. in view of U.S. Patent No. 3,611,915 (Glaser, et al.). The Examiner states that Harff, et al. shows all of the limitations recited in these claims, except for the toggle latches for latching the legs to the grill cover. The Examiner relies on Glaser, et al. for this teaching and concludes that one skilled in the art would have combined the teachings of these references to arrive at the presently claimed invention.

The applicant respectfully disagrees for at least the above-referenced deficiencies of Harff, et al. As discussed above, Harff, et al. fails to teach a support member which extends through an opening in the grill bottom bowl and also contacts the inside wall of the grill bottom bowl. Furthermore, Glaser, et al. fails to make up for the aforementioned deficiencies of Harff, et al. Glaser, et al. teaches that a bowl 1 on its inner face and slightly downwardly from its upper peripheral edge is provided with an integral annular

shoulder 42 for supporting a grill 43 (col. 3, lines 69-71; Fig. 6). There is no teaching at all in Glaser, et al. of a support member extending through an opening in the grill barbecue bowl and which contacts the inside wall of the grill barbecue bowl.

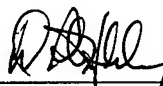
Therefore, the applicant respectfully submits that the combination of teachings of Harff, et al. with Glaser, et al. fails to teach each and every limitation set forth in the present claims, as amended. Accordingly, withdrawal of this rejection is respectfully requested.

Conclusion

For the foregoing reasons, it is believed that the present application as amended is in condition for allowance, and such action is earnestly solicited. The Examiner is invited to call the undersigned if there are any remaining issues to be discussed which could expedite the prosecution of the present application.

Respectfully submitted,

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